

EXHIBIT A

**STATE OF MAINE
PENOBSCOT, ss.**

**SUPERIOR COURT
CIVIL ACTION
DOCKET NO. _____**

**SEAN SWEENEY, a resident of
Bangor, County of Penobscot and
State of Maine,**

Plaintiff

v.

COMPLAINT

**UPS SUPPLY CHAIN SOLUTIONS,
INC., a foreign corporation doing
business in the State of Maine,**

Defendant

Sean Sweeney, through his attorney, Brett D. Baber, Esq. of Lanham Blackwell & Baber, submits the following complaint against UPS Supply Chain Solutions, Inc.:

1. Plaintiff Sean Sweeney is a resident of Bangor, County of Penobscot and State of Maine.
2. Defendant UPS Supply Chain Solutions, Inc. (UPS) is a foreign corporation doing business in the State of Maine.
3. Plaintiff Sweeney brings this action pursuant to 5 M.R.S. §§4571-4572(1)(A) and (2) of the Maine Human Rights Act.
4. Plaintiff Sweeney has exhausted his administrative remedies by pursuing a complaint of discrimination to conclusion at the Maine Human Rights Commission.
5. Plaintiff Sean Sweeney has been employed by Defendant UPS since 1993.

6. Plaintiff Sweeney has been diagnosed with “Attention Deficit Hyperactivity Disorder” which constitutes a “disability” under the Maine Human Rights Act.

7. From time to time since 1993, Plaintiff Sweeney has notified Defendant UPS of his disability and has requested reasonable accommodations that enable Plaintiff Sweeney to perform the essential functions of his job.

8. In particular, Plaintiff Sweeney has requested an accommodation consisting of limiting his employment duties to the pre-sort position at the Defendant’s shipping facility in Brewer, Maine.

9. Without formally approving Plaintiff Sweeney’s requested accommodations, Defendant UPS has generally allowed Plaintiff Sweeney to work at the pre-sort position.

10. Periodically, and most recently on June 22, 2019, Defendant UPS requested Plaintiff to work as a floater which is contrary to the reasonable accommodations Plaintiff Sweeney needs to perform the essential functions of his job.

11. When Plaintiff Sweeney objects to the denial of his accommodations, Defendant UPS has sought to discipline Plaintiff Sweeney, but those disciplinary efforts have been overturned by union grievance procedures.

12. Defendant UPS’s refusal to honor Plaintiff’s necessary accommodations violate his rights under the Maine Human Rights Act.


Wherefore, Plaintiff Sean Sweeney requests the court to enter a judgment in his favor against Defendant UPS Supply Chain Solutions, Inc.,

(a) Provides prospective injunctive relief that orders Defendant UPS Supply Chain Solutions, Inc. to continuously honor Plaintiff Sweeney’s reasonable accommodations and that prohibits Defendant UPS from requiring or requesting Plaintiff

Sweeney to perform other job descriptions outside of his own job description as a “pre-sorter,”

- (b) Awards compensatory or nominal damages;
- (c) Awards punitive damages;
- (d) Awards lost income;
- (e) Awards attorney’s fees, interest and costs; and
- (f) Awards any further relief the court deems just.

Dated: May 26, 2021



Brett D. Baber, Esq., Bar No. 3143
Lanham Blackwell & Baber, P.A.
Attorney for Plaintiff Sean Sweeney
133 Broadway
Bangor, ME 04401
(207) 942-2898

SUPERIOR COURT

Penobscot, ss.

Docket No. _____

DISTRICT COURT

Location _____

Docket No. _____

SEAN SWEENEY

Plaintiff

v.
UPS SUPPLY CHAIN SOLUTIONS Defendant
INC., 48 Atlantic Avenue Address
Brewer, ME 04412

SUMMONS
M.R.Civ.P. 4(d)

Corporation Service Co. Agent

The Plaintiff has begun a lawsuit against you in the ~~(District)~~ (Superior) Court, which holds sessions at (street address) 78 Exchange Street, in the Town/City of Bangor, County of Penobscot, Maine. If you wish to oppose this lawsuit, you or your attorney **MUST PREPARE AND SERVE A WRITTEN ANSWER** to the attached Complaint **WITHIN 20 DAYS** from the day this Summons was served upon you. You or your attorney must serve your Answer by delivering a copy of it in person, by mail, or by email to the Plaintiff's attorney, whose name and address, including email address appear below, or by delivering a copy of it in person or by mail to the Plaintiff, if the Plaintiff's name and address appear below. You or your attorney must also file the original of your Answer with the court by mailing it to: Clerk of ~~(District)~~ (Superior) Court, 78 Exchange St., Bangor, Maine 04401.
(Mailing Address) (Town, City) (Zip)

before, or within a reasonable time after, it is served. Court rules governing the preparation and service of Answers are found at www.courts.maine.gov.

IMPORTANT WARNING: If you fail to serve an answer within the time stated above, or if, after you answer, you fail to appear at any time the Court notifies you to do so, a **judgment by default may be entered against you** in your absence for the money damages or other relief demanded in the Complaint. If this occurs, your employer may be ordered to pay part of your wages to the Plaintiff or your personal property, including bank accounts and your real estate may be taken to satisfy the judgment. **If you intend to oppose this lawsuit, do not fail to answer within the requested time.**

If you believe the plaintiff is not entitled to all or part of the claim set forth in the Complaint or if you believe you have a claim of your own against the Plaintiff, you should talk to a lawyer. If you feel you cannot afford to pay a fee to a lawyer, you may ask the clerk of court for information as to places where you may seek legal assistance.

Date: May 26, 2021
Brett D. Baber, Esq.
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Bangor, ME 04401
207-942-2898
bbaber@lanham
blackwell.com

(Attorney for) Plaintiff
Address

Telephone
Email Address

(Seal of Court)

[Signature]

Clerk
HARRY MCKENNEY
Chief Civil Deputy
KENNEBEC COUNTY
Sheriff's Office

JUN 01 2021

STATE OF MAINE

County of _____, SS.

On _____ (date), I served the Complaint (and Summons, and Notice Regarding Electronic Service) upon Defendant _____ by delivering a copy of same at the following address: _____

- ☐ to the above-named Defendant in hand.
- ☐ to _____ (name), a person of suitable age and discretion who was then residing at Defendant's usual residence.
- ☐ to _____ (name), who is authorized to receive service for Defendant.
- ☐ by (describe other manner of service):

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

Total \$ _____

Signature

Agency